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25X1 [redacted] CONFIDENTIAL

25X1 4. [redacted] Margo Carlisle, in the office of Senator James McClure (R., Idaho), called to request a briefing for the Senator alone on the status of the SALT negotiations. I told her we could provide a briefing on the Soviet strategic weapons but that the status of the negotiations and the status of the violations were out of our charter; we are reporters of the facts and not interpreters of U. S. policy. On this basis, we scheduled a briefing by Mr. Duckett, DDS&T, at 11:00, Monday 2 June, in room 460 Old Senate Office Building with the understanding that this would be for background use for the Senator only and not for attribution and not for public use to the extent that it was classified.

25X1 5. [redacted] Bill Skidmore, OMB, called and asked what the Agency's position was on S. 1, the codification of the criminal laws, and the status of the Agency's proposal to protect intelligence sources and methods. I explained our position that section 1124 on unauthorized disclosures in S. 1 does not adequately protect the Agency and that our proposal to protect intelligence sources and methods had been sent to OMB on 23 April 1975. I told him that as far as I knew, George Gilbert, also of OMB, was handling our proposal. Skidmore said he handles all criminal legislation and will be handling S. 1.

25X1 6. [redacted] Richard Fryklund, OSD/Legislative Affairs, called to mention that DOD would be testifying next week or the following week on the Indian Ocean and he thought it would be useful if we compared notes on our respective positions on this subject. I told Fryklund I was sure this was a topic which Messrs. Colby and Schlesinger have discussed but I would talk with our people to see if they had any other thoughts about it.

25X1 7. [redacted] Received a call from Ron Tammen, of Senator Proxmire's staff, regarding arrangements for Carl Duckett's briefing of the Proxmire Subcommittee of Senate Appropriations on the Soviet Soyuz program on 4 June. Tammen mentioned the full Committee was being invited but no personal staff would be permitted to sit in. He said there would be two members of the Majority staff and two members of the Minority staff present (I will get the names of these individuals so their clearances can be checked). Tammen also said he would like to know the format of Duckett's presentation so they could be preparing questions for the members. He also asked if there was any possibility of sanitizing the transcript of the session. After checking with Duckett I told Tammen that the bulk of the significant information in the briefing is from sensitive sources and to try to sanitize the transcript would leave the record with erroneous impressions. Tammen said the Chairman will ask the question about sanitization in any event and Duckett can respond to it at the time.

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25X1 [redacted] CONFIDENTIAL

25X1 13. [redacted] Spoke to Jim Oliver, OMB, and told him there might be a delay in departmental responses to the Agency's proposed unauthorized disclosure legislation because of a USIB meeting which may be scheduled soon to unite intelligence community forces. Oliver suggested that perhaps OMB's General Counsel and Justice might attend such a meeting, but I told him I really thought this was a meeting to get the intelligence community ducks in a row and that we could face other issues once this has been accomplished.

Oliver said we should expect to soon receive from Jim Frey, OMB, a request for comments on S. 1 and would like us to pay particular attention to Section 1124 (Disclosing Classified Information) as it may impact on the need for our proposed legislation on intelligence sources and methods.

25X1 14. [redacted] Richard Fryklund, DOD, Legislative Affairs, called to advise that they are being asked to testify on Indian Ocean matters as they relate to Diego Garcia and in response to his query, I told him that we had already initiated briefings on this subject and I am sure that he will find out from his intelligence analysts that it is our view that the situation remains pretty much as last year as depicted in Mr. Colby's statements to the Congress with the exception 25X1 of [redacted] This was viewed as a significant event by most of the members we briefed.

25X1 15. [redacted] Roberta Jones, USIA, called concerning the Committee for Action/Research on the Intelligence Community in connection with a cable they had received from Lagos requesting copies of a recent issue of the magazine Counterspy. I alerted [redacted] 25X1
25X1 [redacted] Africa Division, and suggested to him that he might want to find out further what lies behind this request from Lagos. Action
25X1 to do so has been initiated by [redacted]

25X1 16. [redacted] Dorothy Fosdick, Permanent Subcommittee on Investigations, Senate Government Operations Committee staff, called to request an update on the Soviet weapons by Carl Duckett, DDS&T, for tomorrow or Monday. Eventually, a session to begin at 10:00 a.m. on Monday was scheduled.

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JOURNAL

OFFICE OF LEGISLATIVE COUNSEL

Wednesday - 28 May 1975

25X1 [redacted]

25X1 1. [redacted] Received a call from George Gilbert, OMB, giving us clearance to forward to the House Committee on Armed Services our report on H. R. 1531, the Holtzman bill to prohibit the use of appropriated funds by the Rockefeller Commission.

25X1 2. [redacted] In the absence of [redacted] 25X1 received a call from Bill Kelder, on the staff of Representative Don Young (R., Alas.), who inquired as to whether or not a constituent could receive the FBIS Daily Reports. After checking with FBIS Liaison, I called Mr. Kelder back and told him yes, it was possible but that the constituent would have to pay for it and sent Kelder a brochure outlining costs and content. No further action is necessary at this time. 25X1

[redacted]

25X1 4. [redacted] Called J. Bryan Atwood, in the office of Senator Thomas F. Eagleton (D., Mo.), and arranged for a briefing for the Senator on [redacted] possible 25X1 "hot spots" in Asia on 29 May at 10:30 a.m. [redacted] OCI, has been 25X1 alerted. It was agreed that the briefing would be for background only and would not be attributed to the Agency. Senator Eagleton is preparing himself for his participation in the "dialogue" next week in the Senate on foreign policy issues.

25X1 [redacted] CONFIDENTIAL [redacted]

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25X1 [redacted] SECRET 25X1

[redacted]

25X1

5. [redacted] Herschel Clesner, Commerce, Consumer, and Monetary Affairs Subcommittee, House Government Operations Committee, called and said he was interested in a subscription to FBIS Daily Reports from the standpoint of following international economic matters. Based on the advice of [redacted] FBIS, it was arranged that 25X1 we would send one complete set of daily reports for Clesner's examination to sample the product. I informed Clesner of this and that he probably would conclude that the Western European book would be the most productive for him.

25X1

6. [redacted] In the absence of Jim Oliver, OMB, spoke with Arnold Donahue to advise him that there may be a delay in departmental response to OMB clearance requested on the Agency's unauthorized disclosure legislation by Circular A-19 because of a possible USIB session on the legislation. Donahue had no problem but obviously does not want OMB to be tarred with the brush of delay to the extent that this slows up the coordination process.

Donahue also gave OMB's thoughts on the paper on the joint committee 25X1 on intelligence.

[redacted]

25X1 [redacted] SECRET

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25X1 [redacted] SECRET

[redacted]

25X1 10. [redacted] Received a call from Rita Argenta, Secretary to Bill Hogan, Intelligence Subcommittee, House Armed Services Committee, who has some material for someone to pick up at the Committee when they have a chance this week. I told [redacted] 25X1

25X1 11. [redacted] Bob Hull, Department of State, who handles retirement matters called and requested a copy of the Agency's package amending the CIA Retirement Act which is now in OMB. Hull indicated that State will be soon sending their proposal amending the foreign service retirement act to OMB. The package will be substantially the same as was submitted to the last Congress. A copy of the retirement package was sent to Hull. 25X1

[redacted]

25X1 13. [redacted] Ran into Paul Summit, Senate Judiciary Subcommittee staff on Administrative Practice and Procedure. He alerted me to the upcoming hearings in late June on the Nelson and Kennedy bill on electronic surveillance. They intend to call the Attorney General and perhaps one or two other witnesses. This would clear the bill for reporting out. However, Senator John L. McClellan (D., Ark.) feels the bill goes too far as concerns requiring warrants in all cases of foreign intelligence. They hope not to have the bill reported out of subcommittee, however, he said there is a good chance that Senators Edward M. Kennedy (D., Mass.) and Gaylord Nelson (D., Wis.) will get it out as an amendment to S. 1, when it is reported out or as a floor amendment to S. 1, codification of criminal laws.

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25X1 [redacted] CONFIDENTIAL

25X1 7. [redacted] Called George Gilbert at OMB to inform him that State had some problems with a sentence in our comments on S. 244 concerning Section (g)(2) and that we were preparing to forward alternative language. He said he appreciated being alerted, although he himself saw no problem with the language as it was.

25X1 8. [redacted] Accompanied Mr. Warner to a meeting at State with Messrs. Emerson Brown, Bill Jones and Gene Malmborg to discuss State's draft position with respect to our unauthorized disclosure legislation. In a constructive session at State representatives conceded to drop references to section (g)(2) as possibly placing restrictions on intelligence information from our ambassadors as being contentious without due cause and we agreed that the Director probably would not object to dropping certain language from the Speaker letter concerning problems with legislation encompassing a larger class of persons than those covered by the proposed legislation. On the general timing of the proposal it was agreed that it would perhaps be best to table the matter at a USIB meeting and in that connection we said we would advise OMB of this development in connection with OMB imposed requirements for departmental reports back to OMB.

25X1 9. [redacted] Clark McFadden, General Counsel, Senate Armed Services Committee, called to report that Pat Holt, Chief of Staff, Senate Foreign Relations Committee, had called Ed Braswell, Chief Counsel and Staff Director, Senate Armed Services Committee, concerning the possible termination of the NID and that as a result the matter had been discussed with Chairman John C. Stennis (D., Miss.), Senate Armed Services Committee. He feels this will be a tremendous loss to the Committee but would not want to do anything to make things more difficult for the Agency. I thanked McFadden for letting us know and informed him that the NID would be continued through the recess, the matter was being reconsidered and we would notify him before the fact if it is terminated.

25X1 10. [redacted] Following [redacted] DDI, script, called Mickey Haggard, Library of Congress, and provided him comments on his paper on the DDI. 25X1

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12. (Unclassified - LLM) Attended a Legislative Interdepartmental Group meeting at the White House at which a number of legislative items of foreign affairs were discussed. See Memorandum for the Record.

13. (Unclassified - DFM) Delivered to the offices of Senators James Abourezk (D., S. Dak.), Henry M. Jackson (D., Wash.), Jacob K. Javits (R., N. Y.), Edward M. Kennedy (D., Mass.), George McGovern (D., S. Dak.), Mike Mansfield (D., Mont.), Charles H. Percy (R., Ill.), and Representative John J. Rhodes (R., Ariz.) FBIS items in which their names were mentioned.

14. (Unclassified - DFM) Delivered to the office of Senator William Proxmire (D., Wis.) for [redacted] an unclassified paper on North Vietnamese taxation. 25X1

15. (Unclassified - DFM) Picked up from Terry Modglin, House Committee on Merchant Marine and Fisheries staff, transcripts of both the open and executive session testimony before that Committee's Subcommittee on Panama Canal on 21 and 22 April. These are for the use of [redacted] 25X1
25X1 [redacted] OCI/WHD. I agreed to return the transcripts within a week.

16. (Unclassified - DFM) Called Jim Oliver, OMB, regarding Agency comments on H.R. 1531 and 1532. These letters are presently at OMB for
25X1 approval. Mr. Cary and [redacted] had earlier spoken to Oliver about the two letters, and I clarified with him that OMB would not hold the letters simply because no action on the bills was anticipated by the House Armed Services Committee. Oliver said he would try to get prompt approval for the letters.

17. (Unclassified - DFM) Met with Paul Hoff and Marilyn Harris, Senate Government Operations Committee staff, regarding S. 774 and 815, lobbying bills; S. 5, Government in the Sunshine Act; and S. 653, Senator William Proxmire's (D., Wis.) bill to authorize GAO audits of the intelligence agencies. See Memorandum for the Record.

[redacted] 25X1

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6. (Unclassified - WPB) Talked to Alma Pfaff, formerly of the House Internal Security Committee, now with the House Judiciary Committee staff, and verified that she was changing her subscription to FBIS daily reports.

7. (Unclassified - DFM) Called Terry Modglin, House Merchant Marine and Fisheries Committee staff, regarding the April 21 and 22 hearings before the Panama Canal Subcommittee. [redacted] OCI/WHD, had requested that we obtain a copy of the hearings if possible. Modglin said there would be no problem with my borrowing a copy of both the open and executive sessions of the hearings, and I arranged to pick them up from him on Wednesday. 25X1

8. (Internal Use Only - LLM) Talked to Mr. Malmborg, Assistant Legal Adviser, State Department, concerning the Director's proposed position on S. 244 amending the National Security Act of 1947 on (g)(2) "illegal activities" prohibition. I recommended that rather than registering their concern in writing to OMB they merely refer to their contact with us and we for our part will go towards a possible revision on our comment on (g)(2) either by limiting our comment to the statement that it is inappropriate and unnecessary or provide further explanation of the specific problems which could be encountered by the obvious overbreadth of the provision. Malmborg agreed.

9. (Internal Use Only - LLM) Bill Jones, INR/State, called and wanted to know if Mr. Malmborg, State Department, and I had yet talked on the Director's proposed comments on S. 244 amending the National Security Act. I reported the results as stated above.

On our proposed unauthorized disclosure legislation, Jones said that Mr. Hyland, OMB, agreed with State's legal advisers that the timing was not propitious. I said this involved an arguable difference of opinion because I was quite sure Mr. Colby was still committed to pursue the legislation and that we were still not convinced that the problems reflected in State's proposed reply to OMB on the legislation were solid, but I thanked Jones for his good efforts on our behalf.

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25X1 [redacted] CONFIDENTIAL

25X1 10. [redacted] Emerson Brown, State Department, called for a final review of State's proposed response to OMB on the unauthorized disclosure legislation. Brown admitted that State had already received our views but in the interest of avoiding any possible problem between us, which we might still be able to resolve, he agreed to LDX a copy of State's final draft position so that we would have at least one more chance on a meeting of minds and eliminate any unnecessary contentions. State's draft reply has been sent to Mr. Warner, OGC. See Memorandum to Mr. Warner of 20 May 75 for details.

25X1 11. [redacted] Jane McMullan, Senate Appropriations Committee staff, asked if she could have the names of the Senators who appeared at briefings of the Intelligence Operations Subcommittee since the beginning of this year. I told Ms. McMullan that I would check on this and be back in touch.

25X1 12. [redacted] Dorothy Kornegay, Secretary, Senate Government Operations Subcommittee on Intergovernmental Relations, called to notify us of the jacket number (44-826) for the 9 and 10 December 1974 hearings, "Legislative Proposals to Strengthen Congressional Oversight of the Nation's Intelligence Agencies." I subsequently called Mr. Huber, Acquisitions, and requested 75 copies. He later called back to say that GPO told him the hearing had already been printed on 16 May. 25X1

[redacted]

25X1 [redacted] CONFIDENTIAL

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